

Section 4

PATENT
ATTORNEY DOCKET NO. 40894-5147-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

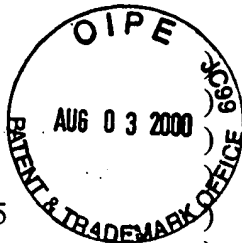
Wataru MATSUTANI et al.

Reissue Application No.: 09/513,215

Filed: February 23, 2000

For: SPARK PLUG

Commissioner for Patents
Washington, D.C. 20231



Group Art Unit: 2875

Examiner: TBA

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

1. This replies to the Notice to File Missing Parts of Reissue Application (PTO-1533) mailed June 29, 2000.

A copy of the Notice To File Missing Parts Of Reissue Application-Filing Date Granted (Form PTO-1533) is enclosed.

2. Declaration Or Oath

☒ [x] No Reissue Declaration or oath was filed. Enclosed are the original Reissue Declarations by Assignee and Inventors.

☐ [] The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ [] The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

08/14/2000 BALEXAND 00000090 500310 09513215

01 FC:109 156.00 CH

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☐ Verified Statement(s) that this is a filing by a small entity

☐ is attached

☐ was filed on _____

5. Fee Calculation

The following fee calculation table takes into account the addition of one independent claim and two dependent claims, added by the Preliminary Amendment filed concurrently herewith.

Basic Fee: Patent Application-\$690.00 Design Application-\$345.00				\$690.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	44 - 20 =	24	\$18.00 each=	\$432.00
Independent Claims	8 - 3 =	5	\$78.00 each=	\$390.00
Multiple dependent claim(s), if any			\$260.00	+
Missing Parts Surcharge Fee			\$130.00	\$130.00
SUB-TOTAL =				\$1,642.00
Reduction by ½ for filing by a small entity				- \$
SUB-TOTAL =				\$1,642.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d))			\$130.00	+
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))			\$130.00	+
TOTAL FILING FEE =				\$1,642.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$1,642.00
Extension Fees \$ 0.00

Total Fee Due \$1,642.00

☒ Enclosed is a check in the amount of \$1,642.00 representing the total fee due.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☒ Preliminary Amendment
- ☒ Assent of Assignee to Reissue Application
- ☒ Certificate Under 37 C.F.R. § 3.73(b)
- ☒ Offer to Surrender Patent for a Reissue Application
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 3, 2000

By: 

David J. Kenealy
Reg. No. 40,411

MORGAN, LEWIS & BOCKIUS LLP

1800 M Street, N.W.

Washington, DC 20036

Tel: (202) 467-7000

Customer No. 009629

PATENT
ATTORNEY DOCKET NO.: 040894-5147-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru **Matsutani** and Junichi **Kagawa**

U.S. Patent No.: 5,793,793
Issue Date: August 11, 1998

Reissue Application No.: 09/513,215
Filed: February 23, 2000

For: SPARK PLUG



Group Art Unit: Not Assigned

Examiner: Not Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

ASSENT OF ASSIGNEE TO REISSUE APPLICATION

The undersigned, assignee of the entire right, title, and interest in the above-mentioned letters patent, hereby assents to the above referenced Reissue Application, Serial No. 09/513,215 filed on February 23, 2000, on its behalf.

Respectfully submitted,

NGK Spark Plug Co., Ltd.
14-18, Takatsuji-cho, Mizuho-ku
Nagoya-shi, Aichi, Japan

Dated: April 27, 2000

By: *S. Kanagawa*
Name: Shigenobu Kanagawa
President
Title: Chief Executive Officer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru **Matsutani** and Junichi **Kagawa**

U.S. Patent No.: 5,793,793

Issue Date: August 11, 1998

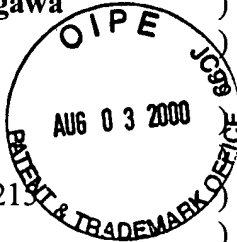
Reissue Application No.: 09/513,213

Date Filed: February 23, 2000

For: SPARK PLUG

Group Art Unit: Unassigned

Patent Examiner: Unassigned



Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

NGK Spark Plug Co., Ltd., a Japanese corporation, certifies that it is:

1. ☒ an assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent identified above by virtue of either:

A. An assignment from the inventors of the patent identified above. The assignment was recorded as follows:

FROM	TO	REEL/FRAME NO.
Inventors: Wataru MATSUTANI Junichi KAGAWA	NGK Spark Plug Co., Ltd. 14-18, Takatsuji-cho, Mizuho- ku, Nagoya-shi, Aichi, Japan	8665/0203 Recordation Date: 6/27/97

OR

B. A chain of title from the inventors, of the patent identified above, to the current assignee as shown below:

1. From:
To:
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.


2. From:
To:
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Copies of assignments or other documents in the chain of title are
attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on
behalf of the Assignee.

NGK Spark Plug Co., Ltd.
14-18, Takatsuji-cho, Mizuho-ku
Nagoya-shi, Aichi, Japan

Dated: April 27, 2000

By: 

Name: Shigenobu Kanagawa

President

Title: Chief Executive Officer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru **Matsutani** and Junichi **Kagawa**

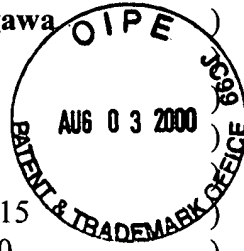
U.S. Patent No.: 5,793,793

Issue Date: August 11, 1998

Reissue Application No.: 09/513,215

Date Filed: February 23, 2000

For: **SPARK PLUG**



Group Art Unit: Not Assigned

Examiner: Not Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**OFFER TO SURRENDER PATENT FOR A REISSUE
APPLICATION BY THE ASSIGNEE**

NGK Spark Plug Co., Ltd. is the assignee of the entire right, title, and interest in the above-mentioned original patent. I am authorized to act on behalf of the assignee and I offer to surrender the original patent.

☒ A certificate under 37 C.F.R. §3.73(b) is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false

statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

Respectfully submitted,

NGK Spark Plug Co., Ltd.
14-18, Takatsuji-cho, Mizuho-ku
Nagoya-shi, Aichi, Japan

Date: April 27, 2000

By: 

Name: Shigenobu Kanagawa
President

Title: Chief Executive Officer

FORMALITIES LETTER



OC00000005209991

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/513,215	07/27/2000	Wataru Matsutani	040894-5147-01

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 200365869

RECEIVED

JUL 07 2000

MORGAN, LEWIS & BOCKIUS LLP

Date Mailed: 06/29/2000

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$690.
 - \$378 for 21 total claims over 20.
 - \$:468 for 6 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$1666

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

08/04/2000 WKOROMA 00000080 09513215

01 FC:108	690.00 OP
02 FC:105	130.00 OP
03 FC:109	390.00 OP
04 FC:110	432.00 OP

Docketed 7-7-00 RJG/DJK
 Case 40894-5147-01
 Due Date 8-29-00
 Action Missing Parts
 By SDW Chk PSB